

APPENDIX B

Joint Claim Construction Worksheet

***In Re: e.Digital Cases*, Case Nos. 13-cv-2897-H-BGS; 13-cv-2899-H-BGS; 13-cv-2914-H-BGS; 13-cv-2915-H-BGS; 13-cv-2938-H-BGS; 13-cv-2946-H-BGS**

U.S. Patent No. 5,839,108 (“the ’108 Patent”)

'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
<p>1. A method of memory management for a primary memory created from a non-volatile, long-term storage medium, said method enabling direct manipulation of contiguous and non-contiguous discrete data segments stored therein by a file system, and comprising the steps of:</p> <p>(a) creating the primary memory from a non-volatile, long-term storage medium, wherein the primary memory comprises a plurality of blocks in which the data segments are to be stored;</p>		<p>Preamble = not limiting</p> <p>primary memory = e.Digital believes that this claim term should be construed together with the rest of the limitation within which it is contained as set forth below. To the extent the term is to be construed separately, e.Digital proposes the following construction: “addressable storage to which a computer system’s microprocessor has direct access”</p> <p>creating the primary</p>	<p>Preamble = limiting</p> <p>primary memory = "main memory of a computer system, i.e., the main general-purpose storage to which the microprocessor has direct access"</p> <p>creating the primary</p>	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
<p>(b) coupling a cache memory to the primary memory, said cache memory providing temporary and volatile storage for at least one of the data segments;</p> <p>(c) writing a new data segment from the cache memory to the primary memory by linking said new data segment to a sequentially previous logical data segment by the following steps:</p> <p>(1) receiving the new data segment in the cache memory;</p> <p>(2) moving the new data segment from the cache memory to a next available</p>		<p>memory from a non-volatile, long-term storage medium, wherein the primary memory comprises a plurality of blocks in which the data segments are to be stored = “causing a portion or portions of a non-volatile long term storage medium, comprised of a plurality of blocks in which the data segments are to be stored, to perform at least one of a host’s primary memory functions”</p> <p>creating = e.Digital believes that this claim term should be</p>	<p>memory from a non-volatile, long-term storage medium, wherein the primary memory comprises a plurality of blocks in which the data segments are to be stored = Indefinite, or in the alternative, "dividing the non-volatile, long-term memory into equal size blocks, each block being the smallest amount of data that can be read from or written to the memory in a single read or write operation"</p> <p>creating = "making or producing"</p>	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
<p>space within primary memory such that the new data segment is stored in primary memory in non-used memory space;</p> <p>(3) identifying the previous logical data segment in primary memory;</p> <p>(4) creating a logical link between the previous logical data segment and the new data segment such that the logical link provides a path for sequentially accessing the data segments within the primary memory;</p> <p>(5) creating additional serial and logical links as subsequent new data segments are written to</p>		<p>construed together with the rest of the limitation within which it is contained as set forth above. To the extent the term is to be construed separately, e.Digital proposes that the term be accorded its plain and ordinary meaning.</p> <p>coupling a cache memory to the primary memory, said cache memory providing temporary and volatile storage for at least one of the data segments = plain and ordinary meaning</p>	<p>coupling a cache memory to the primary memory, said cache memory providing temporary and volatile storage for at least one of the data segments = "creating a removable, interchangeable electrical connection between the cache</p>	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
<p>primary memory, said logical links providing the path for serially accessing the data segments regardless of contiguity of the data segments relative to each other within the primary memory; and</p> <p>(6) storing the data segments to primary memory in a manner consistent with an industry standard data storage format while retaining linking between data segments created in previous steps.</p>		<p>non-volatile, long-term storage medium = plain and ordinary meaning</p> <p>direct manipulation of contiguous and non-contiguous discrete data segments = plain and ordinary meaning</p>	<p>memory and the primary memory"</p> <p>non-volatile, long-term storage medium = "memory that holds its data without the need for ongoing power support"</p> <p>direct manipulation of contiguous and non-contiguous discrete data segments = Indefinite, or in the alternative, "manipulation of contiguous and noncontiguous data segments directly in the primary memory through changes to data segment headers without using a file</p>	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
		<p>file system = plain and ordinary meaning</p> <p>cache memory = plain and ordinary meaning</p> <p>logical data segment = "logically related data segment"</p>	<p>allocation table"</p> <p>file system = Indefinite, or in the alternative, "system to organize and keep track of files without using file allocation tables (memory maps)"</p> <p>cache memory = Indefinite, or in the alternative, "memory strictly used to temporarily store a block of read/write data"</p> <p>logical data segment = Defendants contend that this term is improperly truncated and to the extent a phrase needs to be</p>	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
		a logical link between the previous logical data segment and the new data segment = plain and ordinary meaning	construed, it should be the claim term "previous logical data segment." The construction for "previous logical data segment" is: indefinite, or in the alternative, "data segment with a header that stores the physical location of the next logical data segment." a logical link between the previous logical data segment and the new data segment = Indefinite, or in the alternative, "a pointer written to the previous logical data segment that points to the physical location of the	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
		<p>a path for sequentially accessing the data segments within the primary memory = plain and ordinary meaning</p> <p>industry standard data storage format = e.Digital already seeks to construe the term "data storage format" and does not believe that "industry standard" requires construction. To the</p>	<p>new data segment"</p> <p>a path for sequentially accessing the data segments within the primary memory = Indefinite, or in the alternative, "a linked list used instead of a file allocation table (memory map) for sequentially accessing data segments within the primary memory"</p> <p>industry standard data storage format = "format in which data is stored that conforms to an industry standard"</p>	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
		<p>extent the Court requires a construction for "industry standard data storage format," e.Digital proposes that "industry standard" has a plain and ordinary meaning and the phrase should be construed simply as "industry standard file system"</p> <p>data storage format = "file system"</p>	<p>data storage format = Defendants already seek to construe the claim term "industry standard data storage format" and contend no construction for this term is necessary. To the extent the Court nonetheless requires a construction for "data storage format," the</p>	

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'108 Patent Claim	Agreed Proposed Construction	e.Digital's Proposed Construction	Defendants' Proposed Construction	Court's Construction
			term should be construed as "plain meaning, i.e., file format in which data is stored."	